



IDFPR

Illinois Department of Financial and Professional Regulation

Division of Real Estate

www.idfpr.com

JB PRITZKER
Governor

MARIO TRETO, JR.
Secretary

LAURIE MURPHY
Director

Illinois Department of Financial & Professional Regulation, Division of Real Estate
Real Estate Administration and Disciplinary Board
OPEN Minutes

Date: August 11, 2022

Call to Order: 9:35 a.m. –Monica Gutierrez – Chairperson

Location: IDFPR – Division of Real Estate
Remotely via interactive webinar and/or telephonically because the Governor of the State of Illinois has issued a disaster declaration related to public health concerns and an in-person meeting is not practical or prudent because of the disaster described in that declaration, and because the Secretary of the Illinois Department of Financial and Professional Regulation has determined pursuant to the provisions of Section 7 of the Open Meetings Act that an in-person meeting is not practical or prudent because of a disaster

Board Member(s) Present: Valerie Acosta, Loretta Alonzo-Deubel, Gaspar Flores Jr., Oralia Herrera, Shirin Marvi, Carol Meinhart, Michael Oldenettel, Nykea Pippion McGriff, Everett Ward, Norm Willoughby

Board Member(s) Absent: Joe Castillo, Laura Ellis, Joseph Nery, Michael Prodehl

Division Staff Present: Adrienne Levatino – Associate General Counsel, Geetu Naik – Chief of Prosecutions, Jeremy Reed – Chief of Licensing and Education, Hector Rodriguez – Chief of Audits and Investigations, Stephen Kehoe- Staff Attorney, Susan Sigourney – Board Liaison, Debra Malinowski - Board Liaison

Guest(s) Present: Larry Toban – Real Estate Institute, Rocky Esposito – AHI Real Estate, Sharon Halperin – Oak Park Area Association of Realtors, Kirk Antkiewicz – Chicago Association of Realtors, Kate Sax – Mainstreet Organization of Realtors, Wayne Paprocki – Real Estate Instructor, Chris Huizenga – Chicago Association of Realtors, Carrie Elliott – Illinois Realtor Licensing and Training, Young Brockhouse – Illinois Realtors Licensing and Training, Craig Capilla – Franklin Law Group

Topic	Discussion	Action
	<p>Due to recent amendments to the Open Meetings Act, Chairperson Monica Gutierrez made the following statement at the READ's Board meeting:</p> <p>"This meeting is being conducted by audio or video conference without the physical presence of a quorum of the members because the Governor of the State of Illinois has issued a disaster declaration related to public health concerns and an in-person meeting is not practical or prudent because of the disaster described in that declaration. This meeting is further being conducted by audio or videoconference because the Secretary of the Illinois Department of Financial and Professional Regulation has determined pursuant to the provisions of Section 7 of the Open Meetings Act that an in-person meeting is not practical or prudent because of a disaster."</p>	
Call to Order	Chairperson Monica Gutierrez opened the meeting.	The meeting was called to order at 9:35 am.
Approval of Open Minutes	The Board reviewed the Open Minutes from the July 14, 2022 Real Estate Administration and Disciplinary Board Meetings.	Motion made by Pippion McGriff seconded by Herrera to approve the Open Minutes from the July 14, 2022 meeting.
Public Comments	There were no public comments.	
Licensing Report	<p>The Licensing Report for activity conducted in July, 2022 was presented and discussed. A copy of the report is attached to and made a part of these minutes.</p> <p>Mr. Reed mentioned that the real estate residential leasing agents' renewal period ended July 31, 2022. Real estate residential leasing agent licensees may still complete their residential leasing agent application online, with a late fee, until August 31, 2022. If a licensee fails to renew their real estate residential leasing agent license once the Department changes the license status to non-renewed, the licensee will be required to submit a paper reinstatement application by mail. This information will also be on IDFPR's website. Mr. Reed further mentioned that seventy-five percent of current real estate residential leasing agent licenses have renewed.</p>	

Topic	Discussion	Action
	<p>Mr. Reed mentioned that the real estate entities' licensees started their renewal cycle with twenty percent of current licenses renewed as of August 11, 2022. Mr. Reed further mentioned that for the real estate brokers and real estate residential leasing agents' 2022 renewal cycles there were challenges logging onto the Department's online portal; therefore, if anyone encounter problems logging into the Department's online portal that they can contact FPR.RealEstate@illinois.gov and the Licensing staff will be available to assist.</p> <p>Mr. Reed mentioned that the Department had a productive meeting with PSI in the past month involving the real estate managing broker's national exam. PSI will be hosting a webinar for all Illinois educators to give PSI an opportunity to share information that have been collected over the past year and hear feedback from Illinois educators. PSI will be sending a Webex invite to the providers in the near future. PSI reminded the Department that PSI is in the job analysis stage, which usually takes place every four to five years. The Department missed a few of these cycles but the Department is involved in the current job analysis, thanks to Mike Oldenettel and Norm Willoughby, and will have the opportunity to provide input for the managing broker national exam.</p> <p>Mr. Toban thanked Mr. Reed for the PSI update. He asked whether, due to PSI planning to meet and discuss with educators what PSI has seen in the first year of candidates taking the managing broker national exam, what Department's current position is regarding the timing of curriculum changes. Mr. Reed said that Director Murphy would make the final decision. It appears prudent to wait for the meeting with PSI to receive and understand the statistical data on what areas needs to be addressed, and hear the ideas/issues shared as a group before making any changes. There were additional comments made regarding this topic.</p> <p>Mr. Antkiewicz inquired whether there were any updates regarding the continuing education audits. Mr. Reed reported that the Division has started the process but still has a few technical issues, which he expects to be resolved soon. Mr. Reed will provide further information when the Division has started the 2022 Real Estate Broker continuing education audit.</p>	
Education Report	The 2022 Education Report through the month of July was	

Topic	Discussion	Action
	presented and distributed. A copy of the report is attached to and made a part of these minutes.	
Complaints Report	The 2022 Complaints Report through the month of July was presented and distributed. A copy of the report is attached to and made a part of these minutes.	
Audits Reports	The Audits Report for activity conducted in July, 2022 was presented and distributed. A copy of the report is attached to and made a part of these minutes.	
Investigations Report	<p>The 2022 Investigations Report through the month of July was presented and distributed. A copy of the report is attached to and made a part of these minutes.</p> <p>Mr. Rodriguez mentioned that Real Estate Investigators continue to work on reducing the case load, especially focusing on the aged cases.</p>	
Prosecutions Report	The 2022 Prosecutions Report through the month of July was presented and distributed. A copy of the report is attached to and made a part of these minutes.	
Real Estate Recovery Fund Report	The Real Estate Recovery Fund Report for the 2022 Fiscal Year through July 2022 was presented and distributed. A copy of the report is attached to and made a part of these minutes.	
Formal Hearing Schedule	There is one formal hearing scheduled.	
Old Business	There was no old business discussed.	
New Business	Ms. Acosta inquired if the designated board member attending a formal hearing can receive the formal complaint filed by the Department prior to the formal hearing. Ms. Naik explained that exhibits that have been admitted are currently provided the day of a hearing and explained the procedures when formal hearings were in person. Ms. Naik further mentioned that she will discuss this matter with General Counsel. There were additional comments made regarding this topic.	
Motion to go into	Roll Call Vote:	A motion made by Pippion

Topic	Discussion	Action
<p>The Board signed Findings of Facts, Conclusions of Law and Recommendations to the Director</p> <p>Orders</p>	<p>6 Consent and Non-Disciplinary Orders were reviewed and discussed in Closed Session.</p> <p>The Board received a report that reflected that there was 10 final actions by the Director on Consent Orders previously signed by the Board.</p> <p>2015-04816 Jose Balmadrid 2017-02541 Stephanie Roddy 2019-02560 David Merel 2019-08871 Sheryl Graff 2020-01498 Cindy Cannon / Chuck Baer Realty 2020-05878 Tamara Harshbarger 2020-05878 Daniel Harshbarger 2020-06296 Zeeshan Bhimji 2021-03698 Herve Fabrice Barbera / Beycome Brokerage Realty 2022-01592 Cindy Cannon / Chuck Baer Realty</p>	<p>Administrative Law Judge's recommendation and recommends denying the application for a real estate broker license.</p> <p>The Board did not sign any Findings of Facts, Conclusions of Law and Recommendations to the Director.</p> <p>Motion made by Pippion McGriff seconded by Marvi to ratify the actions of Consumer Complaint Review (CCR) and Case File Review Committee (CRC) and to approve the Board's recommendations, including Norm Willoughby's having authorized the Department affixation of his electronic signature on the orders presented in Closed Session. Motion carried by roll call vote.</p> <p>The Board signed 4 Consent Orders.</p>

Topic	Discussion	Action
Adjournment	The next meeting is scheduled for September 8, 2022.	There being no further business to discuss motion made by Marvi, seconded by Pippion McGriff to adjourn at 11:20 a.m. Motion carried by roll call vote.

**LICENSE REPORT
CALENDAR YEAR 2022**

July

PROFESSION	SPONSOR CHG.	INITIAL LIC.	RENEWALS	ACTIVE
RE Managing Broker	48	20	4	15,620
Residential Leasing Agent	37	47	963	4,615
Real Estate Broker	497	416	328	62,233
RE Branch Office	20	11	66	1,231
Real Estate Broker Corporation	4	4	240	3,462
Real Estate Broker Partnership	0	0	3	30
RE Limited Liability Firm	8	10	187	2,333
RE Virtual Office	0	0	0	-
RE Education Provider	0	1	0	69
RE Pre-Lic Instructor	0	3	0	264
RE Pre-Lic Course	0	1	0	488
RE CE Instructor	0	2	2	171
Real Estate CE Course	0	15	3	619
TOTAL	614	530	1,796	91,135

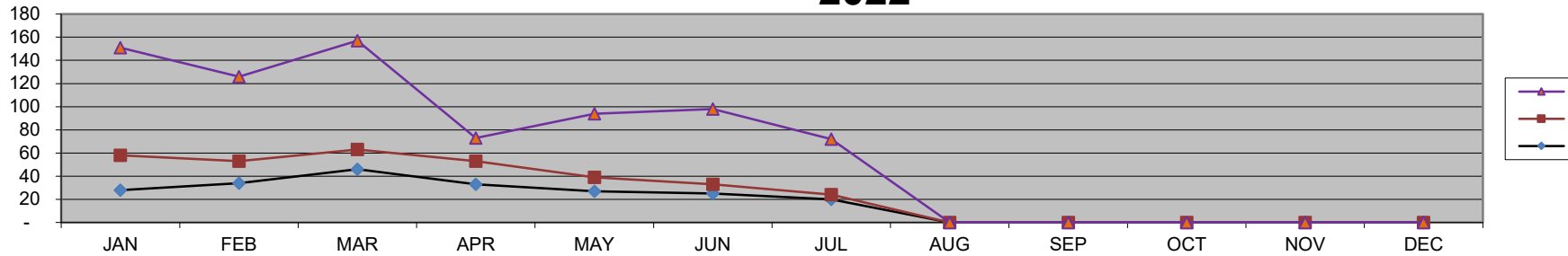
MANAGING BROKER 2022

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
INITIAL LIC.	28	34	46	33	27	25	20					
RENEWALS	30	19	17	20	12	8	4					
SPONSOR CHG.	93	73	94	20	55	65	48					
TOTAL ACTIVE	15,353	15,390	15,460	15,528	15,567	15,596	15,620					

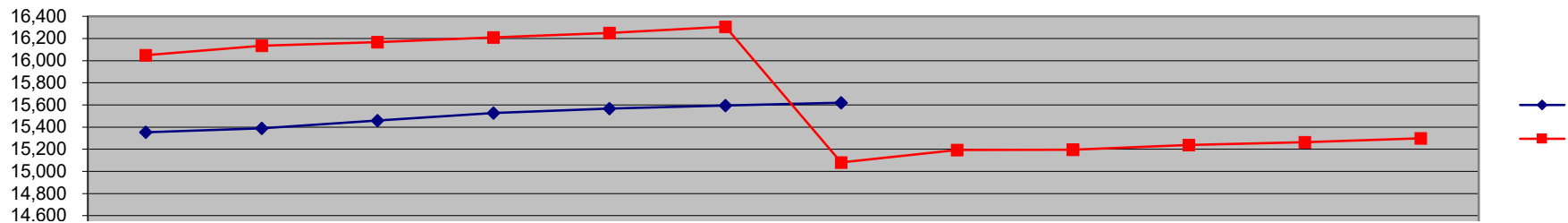
MANAGING BROKER 2021

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
INITIAL LIC.	7	93	37	35	54	54	41	34	39	25	22	22
RENEWALS	8	3,437	2,239	6,994	1,425	110	35	70	40	27	22	21
SPONSOR CHG.	126	93	105	124	88	78	77	98	87	85	90	126
TOTAL ACTIVE	16,048	16,134	16,168	16,209	16,251	16,306	15,081	15,194	15,196	15,239	15,263	15,299

MANAGING BROKER 2022



ACTIVE MANAGING BROKERS 2022 vs. 2021



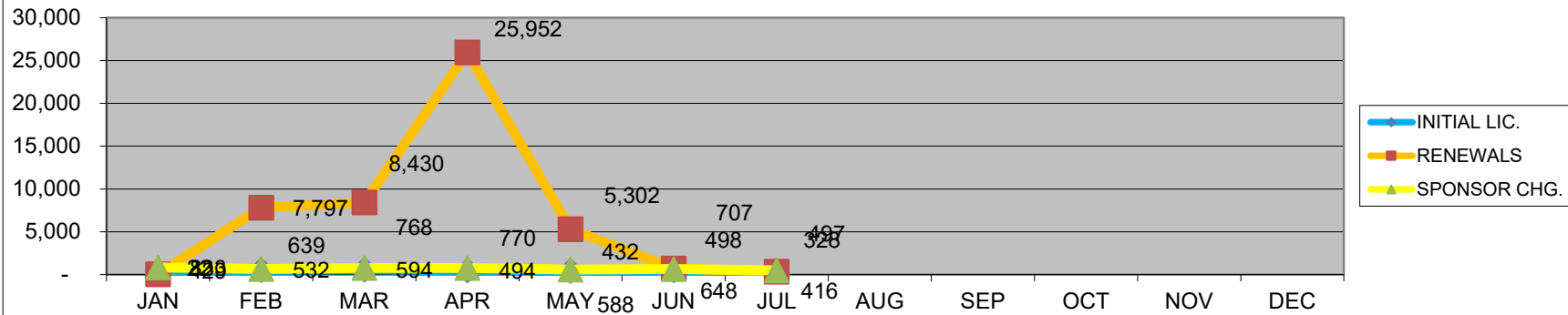
BROKER 2022

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
INITIAL LIC.	429	532	594	494	432	498	416					
RENEWALS	22	7,797	8,430	25,952	5,302	707	328					
SPONSOR CHG.	833	639	768	770	588	648	497					
TOTAL ACTIVE	62,790	63,276	63,855	64,397	64,852	61,597	62,333					

BROKER 2021

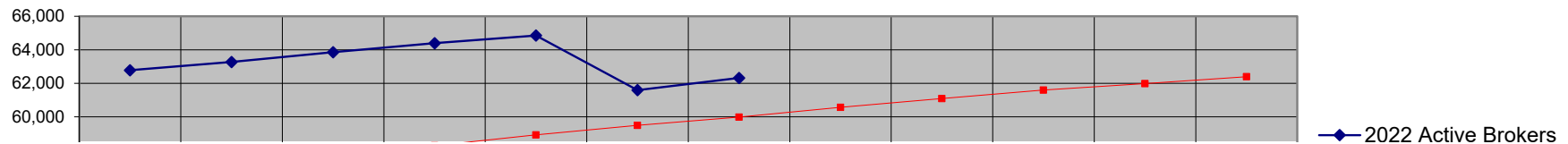
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
INITIAL LIC.	492	484	654	644	623	558	498	623	534	575	455	440
RENEWALS	239	174	150	231	75	61	32	38	21	19	17	19
SPONSOR CHG.	926	668	697	670	569	508	516	604	619	676	607	1,057
TOTAL ACTIVE	56,134	56,718	57,492	58,284	58,938	59,497	59,985	60,573	61,104	61,609	61,993	62,397

BROKER 2022



ACTIVE BROKERS

2022 vs. 2021



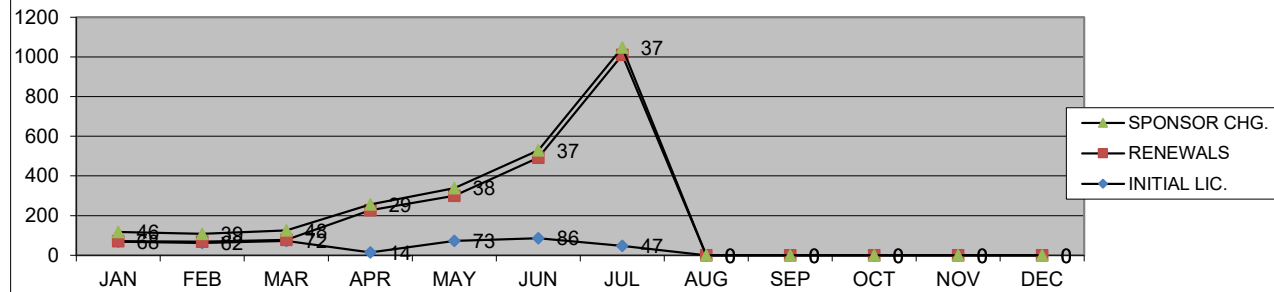
RESIDENTIAL LEASING AGENT 2022

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
INITIAL LIC.	68	62	72	14	73	86	47					
RENEWALS	3	7	6	213	227	406	963					
SPONSOR CHG.	46	39	48	29	38	37	37					
TOTAL ACTIVE	4,314	4,361	4,419	4,432	4,509	4,594	4,615					

RESIDENTIAL LEASING AGENT 2021

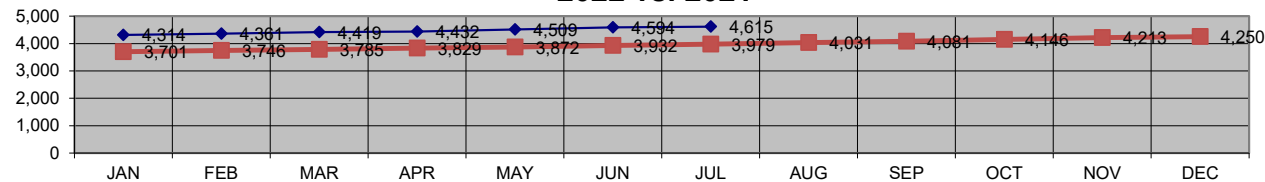
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
INITIAL LIC.	54	45	53	47	41	62	51	62	52	75	74	59
RENEWALS	24	16	23	12	14	9	11	8	3	1	7	3
SPONSOR CHG.	31	30	38	62	23	23	32	35	32	30	32	35
TOTAL ACTIVE	3,701	3,746	3,785	3,829	3,872	3,932	3,979	4,031	4,081	4,146	4,213	4,250

LEASING AGENT 2022



ACTIVE RESIDENTIAL LEASING AGENTS

2022 vs. 2021



as of...

6/30/2022

7/31/2022

License prefix	License Type	Active Licenses	Active Licenses
440	Licensed Auctioneer	286	286
441	Licensed Auctioneer	748	751
444	Licensed Auction Firm	184	187
445	Licensed Auction CE School	5	5
446	Licensed Auction CE Course	46	46
Totals		1,269	1,275

License prefix	License Type	Active Licenses	Active Licenses
553	Certified General Real Estate Appraiser	1,353	1,360
555	Licensed Appraiser Education Provider	19	19
556	Certified Residential Real Estate Appraiser	1,808	1,813
557	Associate Real Estate Trainee Appraiser	410	425
558	Appraisal Management Company	161	163
572	Temporary Practice Real Estate Appraiser	56	65
573	Licensed Appraiser Pre-Lic Course	111	111
575	Licensed Appraiser CE Course	402	406
Totals		4,320	4,362

License prefix	License Type	Active Licenses	Active Licenses
261	LICENSED COMMUNITY ASSOCIATION MANAGER	1,805	1,822
Totals		1,805	1,822

License prefix	License Type	Active Licenses	Active Licenses
450	Licensed Home Inspector	1,967	1,987
451	Licensed Home Inspector Entity	422	425
452	Licensed Home Inspector Education Provider	24	24
453	Licensed Home Inspector Pre-License Course	24	24
454	Licensed Home Inspector CE Course	110	110
Totals		2,547	2,570

Total Licenses	9,941	10,029
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2022 Real Estate Examination Pass Rates - Pass Rate

		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Managing Broker National	First Time	13%	5%	22%	32%	19%	14%	27%					
	Repeat	26%	33%	28%	22%	23%	18%	19%					
	Total Test Takers	88	86	121	136	50	59	70					
Managing Broker State	First Time	86%	69%	76%	88%	93%	79%	71%					
	Repeat	80%	67%	89%	67%	100%	50%	60%					
	Total Test Takers	47	45	73	73	29	30	32					
Managing Broker Reciprocity Exam	First Time	60%	82%	50%	100%	0%	67%	100%					
	Repeat	0%	100%	0%	0%	0%	0%	0%					
	Total Test Takers	5	12	8	5	4	4	2					
Broker National	First Time	46%	42%	44%	45%	43%	42%	42%					
	Repeat	35%	44%	33%	29%	33%	29%	30%					
	Total Test Takers	1026	1127	1386	1357	1186	1106	1058					
Broker State	First Time	52%	55%	59%	59%	57%	54%	56%					
	Repeat	47%	44%	48%	45%	41%	40%	43%					
	Total Test Takers	853	962	1156	1126	988	946	876					
Broker Reciprocity Exam	First Time	38%	58%	64%	64%	66%	75%	38%					
	Repeat	13%	44%	33%	50%	30%	25%	50%					
	Total Test Takers	65	69	85	90	72	48	31					
Leasing Agent National	First Time	52%	58%	47%	42%	48%	45%	42%					
	Repeat	44%	56%	48%	34%	45%	50%	35%					
	Total Test Takers	140	131	134	121	125	116	132					

2021 Real Estate Examination Pass Rates - Pass Rate

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Managing Broker	39%	45%	37%	41%	43%	30%	43%	38%	26%	32%	52%	54%
First Timers	63%	60%	65%	63%	61%	50%	58%	47%	40%	50%	58%	56%
Repeaters	6%	5%	0%	13%	13%	6%	11%	20%	7%	26%	32%	44%
Total Number Tested	80	75	83	75	65	80	54	64	68	63	55	46
Broker	45%	44%	45%	41%	41%	41%	40%	37%	36%	36%	44%	46%
First Timers	52%	51%	53%	48%	47%	45%	45%	42%	41%	42%	43%	49%
Repeaters	37%	36%	34%	33%	34%	35%	33%	32%	32%	39%	42%	40%
Total Number Tested	1512	1470	1658	1608	1373	1352	1260	1197	1143	1033	969	939
Leasing Agent	49%	51%	45%	59%	56%	56%	48%	52%	52%	49%	56%	52%
First Timers	54%	56%	55%	65%	66%	59%	49%	55%	53%	52%	57%	55%
Repeaters	43%	41%	33%	49%	41%	51%	48%	49%	51%	47%	50%	48%
Total Number Tested	129	119	133	165	133	144	120	145	126	130	81	67

2020 Real Estate Examination Pass Rates - Pass Rate

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Managing Broker	41%	47%	54%	33%	40%	39%	36%	48%	47%	56%	45%	35%
Total Number Tested	78	92	71	9	30	54	59	66	87	85	60	92
Broker	46%	47%	50%	49%	57%	55%	50%	50%	48%	45%	43%	46%
Total Number Tested	935	961	613	41	315	800	850	953	1136	1511	1212	1656
Leasing Agent	52%	54%	43%	60%	60%	42%	51%	54%	55%	53%	53%	50%
Total Number Tested	151	122	92	5	47	90	142	123	128	207	117	151

2022	(512)	(513)	(563)	(564)	(515)	DRE Education's Pipeline		
	Pre-License Instructors Licensed	Pre-License Courses Licensed	CE Instructors Licensed	CE Courses Licensed	Education Providers Licensed	Total # of Licenses Issued	# in Process	Pending Provider Info
January	0	16	3	14	2	35	22	22
February	3	1	3	9	0	16	28	28
March	3	0	0	1	0	4	12	12
April	2	9	3	14	1	29	8	8
May	2	1	0	6	0	9	16	16
June	2	4	1	4	0	11	16	16
July	3	1	2	15	1	22	18	
August						0		
September						0		
October						0		
November						0		
December						0		
YTD Total	15	32	12	63	4	126		
	512	513	563	564	515			
Total Active Licenses	264	488	171	619	69	Diane Green Nate Chandler		

June 2022
Complaint Report

Column1	New RE Complaints	New RE Complaints Assigned To Investigations	Complaints Closed At Intake Review	RE Matters Closed At CCR
January	42	19	9	14
February	33	21	3	9
March	43	25	5	13
April	30	13	9	8
May	35	24	7	4
June	55	37	12	6
July	35	8	9	18
August	0			
September	0			
October	0			
November	0			
December	0			
Total	273	147	54	72

MONTHLY EXAMINATIONS REPORT
READ Board – August 11, 2022

Licenses that have not yet had an examination in the Chicago Area region are continuing to be assigned to the non-Chicago Area Region examiners. In the effort to accelerate the number of examinations to be conducted, *Brokerage Verification Reports* are being mailed to these licensees. This report allows the examiner to assess the level of activity of the licensee then complete the examination process by mail or schedule an on-site review. From the total number of initial examinations closed in July, 30 files were in this region.

INITIAL EXAMINATIONS COMPLETED

RESOLUTION TYPE: BROKERAGE VERIFICATION REPORT – NOT PRACTICING
TOTAL COMPLETED: 13

An examination conducted by mail and the licensee has not performed licensed real estate activity within the past three years.

RESOLUTION TYPE: BROKERAGE VERIFICATION REPORT – PRACTICING
TOTAL COMPLETED: 12

An examination conducted by mail and the licensee has performed licensed real estate activity within the past three years.

RESOLUTION TYPE: INSPECTED – NOT PRACTICING
TOTAL COMPLETED: 0

An on-site examination has been conducted and the licensee has not performed licensed real estate activity within the past three years.

RESOLUTION TYPE: INSPECTED – PRACTICING
TOTAL COMPLETED: 0

An on-site examination has been conducted and the licensee has performed licensed real estate activity within the past three years.

RESOLUTION TYPE: NOT INSPECTED
TOTAL CLOSED: 1

This category is comprised of licensees not requiring a complete examination. This includes licensees that are out-of-state residents, deceased licensees, companies that are out of business (or license status has become "inactive") or change of sponsorship.

RESOLUTION TYPE: REFERRED TO SUPERVISOR
TOTAL CLOSED: 4

This category is comprised of licensees that have either not responded to a *Brokerage Verification Report* after two attempts from the examiner or has failed to appear for the scheduled on-site examination after two attempts.

RESOLUTION TYPE: SUPERVISOR REFERRAL TO PROSECUTION
TOTAL CLOSED: 0

This category is comprised of licensees that have not responded to a *Brokerage Verification Report* after three attempts from the supervisor. In these instances, the licensee has either failed to notify IDFPR of their correct address or failed to respond.

FOLLOW-UP EXAMINATIONS COMPLETED BY EXAMINER

Initial examinations conducted wherein violations have been found are required to show compliance. Completed in July:

RESOLUTION TYPE: IN COMPLIANCE
TOTAL COMPLETED: 17

RESOLUTION TYPE: REFERRED TO SUPERVISOR
TOTAL COMPLETED: 1

EXAMINATIONS REFERRED TO SUPERVISOR – CLOSED

Licenses with remaining issues after an initial examination and follow-up or licensees that are unresponsive are referred to supervisor for review and further action. Completed in July:

RESOLUTION TYPE: ISSUES RESOLVED
TOTAL COMPLETED: 3

RESOLUTION TYPE: LICENSE STATUS CHANGE
TOTAL COMPLETED: 1

RESOLUTION TYPE: REFERRED TO PROSECUTIONS
TOTAL COMPLETED: 3

Real Estate Recovery Fund

FY2023	Beginning Balance	Revenue	Interest	Transfers In	Expenditures	Transfers Out	Sweeps/Borrowing	Ending Balance
July	\$2,851,934.23	\$2,522.33						\$ 2,854,456.56
August								\$ -
September								\$ -
October								\$ -
November								\$ -
December								\$ -
January								\$ -
February								\$ -
March								\$ -
April								\$ -
May								\$ -
June								\$ -
Total		\$ 2,522.33	\$ -	\$ -	\$ -	\$ -	\$ -	
* Statutory Transfers								